

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

E. Richard Dressel, Esquire (ED1793)
Lex Nova Law, LLC
10 E. Stow Road, Suite 250
Marlton, NJ 08053
rdressel@lexnovallaw.com
(856) 382-8211
Attorneys for Andrew Sklar, Chapter 7 Trustee

In Re:

ORBIT ENERGY & POWER, LLC,

Debtor.

Case No.: 22-19628 (ABA)

Chapter: 7

Hearing Date: 08/06/2024 @ 10:00 a.m.

Honorable Andrew B. Altenburg

**NOTICE OF MOTION FOR ENTRY OF ORDER EXPUNGING PROOF
OF CLAIM NO. 74-2 FILED BY ZURICH AMERICAN INSURANCE COMPANY
PURSUANT TO 11 U.S.C. §§ 502 AND 503 AND FED. RULE BANKR. P. 3007**

TO: All Parties-in-Interest

PLEASE TAKE NOTICE that on August 6, 2024 at 10:00 a.m., or as soon thereafter as counsel may be heard, the undersigned counsel for Andrew Sklar, as Chapter 7 trustee (the “Trustee”) for Orbit Energy & Power, LLC (“Debtor”), shall move before the Honorable Andrew B. Altenburg, Jr., United States Bankruptcy Judge, at the United States Bankruptcy Court, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4th Floor, Camden, NJ. 08101, Courtroom 4B, for entry of an order (the “Order”) expunging Proof of Claim No. 74-2 filed by Zurich American Insurance Company pursuant to 11 U.S.C. §§ 503 and 503 and Fed. R. Bankr. P. 3007 (the “Motion”).

PLEASE TAKE FURTHER NOTICE that in support of the Motion, the undersigned

shall rely on the accompanying Sklar Certification and Letter Memorandum of Law, which set forth the relevant factual and legal bases upon which the relief requested should be granted. A proposed Order granting the relief requested in the Motion is also submitted herewith.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. LBR 9013-2(a), opposition to the relief requested, and/or cross-motions, if any shall, be filed with the Clerk of the Bankruptcy Court, Clarkson S. Fisher U.S. Courthouse, 402 East State Street, Trenton, NJ 08608, and served upon the Trustee's undersigned counsel at Lex Nova Law LLC, 10 E. Stow Road, Suite 250, Marlton, NJ 08053 no later than seven (7) days prior to the hearing date of the Motion. Unless objections are timely filed and served, the relief requested in the Motion may be granted without further notice or hearing.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. LBR 9013-3, in the event the Motion is contested, there is a duty to confer to determine whether a consent order may be entered disposing of the Motion or a stipulation to the resolution of an many issues as possible.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J LBR 9013-(3)(e), unless the Court authorizes otherwise prior to the hearing date on the Motion, no testimony shall be taken at the hearing except by certification or affidavit.

Date: July 01, 2024

Respectfully submitted,

LEX NOVA LAW, LLC

By: /s/ E. Richard Dressel
E. Richard Dressel, Esquire
Attorneys for Andrew Sklar,
Chapter 7 Trustee, Plaintiff